

## REMARKS/ARGUMENTS

Claims 1-5, 8, 10-17, 22, 27, 33, 39, 42-50, 55-58, 63-66, 69-74, and 79-81 are pending in the application and all are rejected as obvious under 35 U.S.C. § 103.

### *Claim Amendments*

The foregoing amendment of independent claim 1, and similarly of independent claim 63, specifies “an infrared emitter and sensor of the hand-held computing device”, “an infrared emitter and sensor of a self-service transaction terminal”, and “allowing the user to initiate the contactless bi-directional communication interface further comprises guiding the hand-held computing device into a position of substantial alignment of the infrared emitter and sensor of the hand-held computing device with the infrared emitter and sensor of the self-service financial transaction terminal by a structure provided on a face of the self-service transaction terminal”. Specification, p. 5, lines 15-22; p. 6, line 26-p. 7, line 5; p. 8, lines 3-7; and Figs. 1-6.

The foregoing amendment of independent claim 1, and similarly of independent claim 63, further specifies “wherein the self-service transaction terminal is programmed to present a sequence of selection screens for a transaction related to the transaction information entered by the user on the hand-held computing device, wherein the hand-held computing device is programmed to skip the presentation of at least some of the selection screens of the sequence, and wherein communicating the transaction information further comprises skipping the presentation of said at least some of the selection screens of the sequence by the hand-held computing device according to said program”. Specification, p. 10, lines 7-14.

In addition, claims 2-5, 10, 11, 16, 17, 22, 27, 33, and 64-66 are cancelled to address editorial issues raised by the foregoing amendment of claims 1 and 63.

Support for the foregoing amendment is found throughout the specification and in the claims and as noted above, and no new matter is added.

### **Claim Rejections - 35 U.S.C. § 103(a)**

Claims 1-5, 8, 10-17, 22, 27, 33, 39, 42-50, 55-58, 63-66, 69-74, and 79-81 stand rejected under 35 U.S.C. § 103(a) as obvious over Gutman (USPN 5,221,838) in view of Daggar (USPN

5,748,737) and Coutts (USPN 5,563,393). The cancellation of claims 2-5, 10, 11, 16, 17, 22, 27, 33, and 64-66 renders the rejection of those claims moot. The rejection of claims 1, 8, 12-15, 39, 42-50, 55-58, 63. 69-74, and 79-81 is traversed and reconsideration is requested. The references asserted do not teach or suggest the claimed invention.

Regarding amended independent claims 1 and 63, the proposed modifications of Gutman in view of Daggar and/or Coutts lack one or more limitations recited in amended claims 1 and 63 in at least the following respects:

It is true that Gutman discloses an electronic wallet that reads data from multiple magnetic stripe cards and stores the mag card data on the electronic wallet or on magnetic stripes of a universal card which enables a user to carry only the electronic wallet or only the universal card to use any or all of the card accounts. Thus, according to Gutman:

... [B]y reading all of one's personal financial cards 126 into the electronic wallet and selectively writing financial information to the universal financial card 130, efficient use of space in the wallet 100 may result (i.e., since only one universal financial card 130 may be carried with the electronic wallet 100 to effect financial transactions). Additionally, the financial information from multiple financial cards may be better organized and secured in one place (i.e., within the electronic wallet 100).... Gutman, 6:10-20

It is likewise true that Daggar discloses an electronic wallet that reads data from multiple mag stripe cards and multiple smart cards and stores the data on multiple mag stripes and a chip of the electronic wallet or a generic card so that the user has to carry only the electronic wallet or the generic card to use any of the card accounts. Thus according to Daggar:

... A generic card is insertable into an electronic wallet to provide magnetic or smart card data carrier means. The generic card assumes the identity of any stored digital card and is submitted to a card acceptor in that guise.... Daggar, Abstract

....

A card micromodule 270 allows the generic multimedia card 260 to communicate with the electronic wallet 100 or any other smart card reader/writer and performs functions similar to a wallet micromodule 200. The card micromodule 270 enables the generic multimedia card 260 to act as a pseudo electronic wallet 100 for one or more digital cards--albeit that no user interface exists. Multiple digital cards or digital card transactions can be downloaded to the generic multimedia

card 260 which can then be carried and used without further electronic wallet 100 interaction. Alternatively, an electronic purse card can be used where an electronic wallet 100 is not needed, with cash being downloaded to this purse. An example of possible usage being where a child carries a purse to pay for lunches, etc. Daggar, 13:13-26

It is also true that Coutts discloses two-way RF communication between a maintenance device and an ATM using a modem card to modulate/demodulate signals. Thus, according to Coutts:

The device 12 and each ATM 10 ... incorporate modems 23 and 17 in order to enable the modulation of data signals for RF transmission between the ATMs 10 and the device 12, and the demodulation of received data signals. The device 12 is adapted to use a modem in the form of a PCMCIA (Personal Computer Memory Card International Association) integrated circuit card, configured to operate as a modem.... [T]he PCMCIA card can be arranged to incorporate a modem and a transceiver within a single package. Coutts, 2:54-67

However, there is no hint of teaching or suggestion in Gutman, Daggar, and/or Coutts of “allowing the user to initiate the contactless bi-directional communication interface further comprises guiding the hand-held computing device into a position of substantial alignment of the infrared emitter and sensor of the hand-held computing device with the infrared emitter and sensor of the self-service financial transaction terminal by a structure provided on a face of the self-service transaction terminal”, as recited in amended independent claims 1, and similarly in amended independent claim 63.

There likewise no hint of teaching or suggestion in Gutman, Daggar, and/or Coutts of “wherein the self-service transaction terminal is programmed to present a sequence of selection screens for a transaction related to the transaction information entered by the user on the hand-held computing device, wherein the hand-held computing device is programmed to skip the presentation of at least some of the selection screens of the sequence, and wherein communicating the transaction information further comprises skipping the presentation of said at least some of the selection screens of the sequence by the hand-held computing device according to said program”, as also recited in amended independent claims 1, and similarly in amended independent claim 63.

Consequently, the claimed combinations recited in amended independent claims 1 and 63 are not taught or suggested by Gutman in view of Daggar and/or Coutts, either separately or in combination with one another. Because the cited references, either alone or in combination, do not teach the limitations of claims 1 and 63, the Examiner has failed to establish the required *prima facie* case of unpatentability. See In re Royka, 490 F.2d 981, 985 (C.C.P.A., 1974) (holding that a *prima facie* case of obviousness requires the references to teach all of the limitations of the rejected claim); See also MPEP §2143.03. Similarly, the Examiner has failed to establish a *prima facie* case of unpatentability for claims 8, 12-15, 39, 42-50, 55-58, 79-81 that depend on claim 1, and claims 69-74 that depend on claim 63, and which recite further specific elements that have no reasonable correspondence to the references.

## CONCLUSION

The undersigned representative respectfully submits that this application is in condition for allowance, and such disposition is earnestly solicited. If the examiner believes that the prosecution might be advanced by discussing the application with the undersigned representative, in person or over the telephone, we welcome the opportunity to do so. In addition, if any additional fees are required in connection with the filing of this response, the Commissioner is hereby authorized to charge the same to Deposit Account 50-4402.

Respectfully submitted,

Date: May 24, 2010  
KING & SPALDING LLP  
1700 Pennsylvania Ave., NW  
Washington, DC 20006  
(202) 737-0500

By: /John M. Harrington, Reg. No. 25,592/  
John M. Harrington  
Registration No. 25,592